

ESTTA Tracking number: **ESTTA368067**

Filing date: **09/13/2010**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding.	92052523
Applicant	Defendant Dalps & Leisure Products Supply Corporation
Other Party	Plaintiff Formatic Xpressions LLC

## **Motion for an Extension of Answer or Discovery or Trial Periods With Consent**

The Defendant's Time to Answer is currently set to close on 09/16/2010. Dalps & Leisure Products Supply Corporation requests that such date be extended for 60 days, or until 11/15/2010, and that all subsequent dates be reset accordingly.

Time to Answer :	11/15/2010
Deadline for Discovery Conference :	12/15/2010
Discovery Opens :	12/15/2010
Initial Disclosures Due :	01/14/2011
Expert Disclosure Due :	05/14/2011
Discovery Closes :	06/13/2011
Plaintiff's Pretrial Disclosures :	07/28/2011
Plaintiff's 30-day Trial Period Ends :	09/11/2011
Defendant's Pretrial Disclosures :	09/26/2011
Defendant's 30-day Trial Period Ends :	11/10/2011
Plaintiff's Rebuttal Disclosures :	11/25/2011
Plaintiff's 15-day Rebuttal Period Ends :	12/25/2011

The grounds for this request are as follows:

- *Parties are engaged in settlement discussions*
- *Additionally, counsel for Respondent had to travel abroad to attend the funeral of a family member and has an upcoming long-standing vacation. While the parties are actively engaged in settlement discussions, Petitioner has also agreed to accommodate the travel schedule of counsel for Respondent.*

Dalps & Leisure Products Supply Corporation has secured the express consent of all other parties to this proceeding for the extension and resetting of dates requested herein.

Dalps & Leisure Products Supply Corporation has provided an e-mail address herewith for itself and for the opposing party so that any order on this motion may be issued electronically by the Board.

## **Certificate of Service**

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by Facsimile or email (by agreement only) on this date.

Respectfully submitted,  
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